



# COMMONWEALTH OF MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION (MCAD)



## INVESTIGATIVE CONFERENCES

### WHO?

- The MCAD investigator will lead the conference.
- Complainant is expected to attend, with legal counsel (if represented).
- All named Respondent(s) are expected to attend. Respondent's legal counsel should attend with one representative of Respondent who has first-hand knowledge of the facts of the case.
- Do not bring witnesses.
- Attorneys must file a Notice of Appearance prior to the conference.

### WHAT?

- Each conference typically lasts 20 minutes.
- Be fully prepared to answer questions from the investigator about the facts of the case. The investigator will ask questions of both parties and may issue requests for additional information.
- Some investigators hold conferences with several cases in the room at one time. Be courteous and quiet during all conferences. Turn off or silence cell phones.
- What to Bring:
  - Your copy of all submitted documents (i.e. complaint, position statement, and rebuttal).
  - Paper and pen to take notes on the investigator's information requests.
- What Not to Do:
  - Discourteous behavior will not be tolerated.
  - This is not a hearing.
    - Cross-talk between the parties is prohibited.
    - There will be no cross examination.
    - Argument of motions will not be permitted.
  - Do not prepare a long opening statement. The investigator may permit a very brief statement.
  - This is not mediation. If you are interested in mediation/settlement, notify the investigator.

### WHERE?

- In general, investigative conferences are held either at the MCAD's Boston or Springfield offices. Go to the MCAD office where the charge was filed, unless instructed otherwise.
- If a participant is located out of state, contact the investigator to request a teleconference.

### WHEN?

- The Investigative Conference date is automatically scheduled at intake/filing. The conference will be held on the date and time listed on the service letter, unless you are otherwise notified by the MCAD.
- Rescheduling a conference is extremely difficult. If you must reschedule, you may submit a written request stating the good cause reason for rescheduling to the investigator no later than 14 days before the conference. If an emergency arises, notify the investigator as soon as possible.

### WHY?

- Investigators hold conferences to gather evidence, identify disputed issues, and clarify the parties' positions. Conferences give the investigator an opportunity to ask specific questions in person about issues and facts relevant to determining whether probable cause exists.
- Investigative Conferences permit the parties to meet the investigator and to present the facts or evidence most relevant to the investigation.